

Remarks

Claims 1-5, 8-10, and 16-18 stand rejected under 35 USC §102 (e) over Darcie (US 6,493,335). The Examiner will see that claims 1-9 (and claims 19-20) have now been amended to recite the feature that there is no optical connectivity from each of the stations back to itself. Similarly, claims 10-18 have been amended to recite the feature that transmission by another station is detected by a station detecting any non-zero signal on the first or common optical frequency. Thus, this rejection is now submitted to be moot.

The Examiner also rejects claims 6-7 and 13-14 under 35 USC §103(a) as being unpatentable over Darcie in view of Ota (US 5,282,257) and further in view of Ota (US 5,915, 054). In view of the above amendments, it is submitted that this rejection would now be applicable to all of claims 1 to 18. However, Applicants respectfully traverse the rejection for the following reasons.

Ota '054 and Ota '257 in combination teach the use of a passive optical star coupler with no connectivity back from an input port to its corresponding output port. The Examiner states that one skilled in the art would be motivated to combine these references with Darcie because it simplifies the collision detection circuit. Applicants respectfully disagree.

Firstly, Applicants point out that the passive optical star coupler of Ota '054 and Ota '257 would only simplify collision detection circuits employed in outstations – i.e. in the End Users (EUs) of Darcie.

Secondly, Applicants submit that there is no suggestion in Darcie to modify its teaching in this manner. In fact Darcie teaches away from such a modification. In each of the three embodiments described in Darcie (see “Embodiments of the IN and Methods” col 5 line 25 - col 10 line 63), Intermediate Nodes (INs) are used to co-ordinate upstream communication from the EUs. Thus, in the first and third embodiments, the upstream traffic is frequency shifted and broadcast back to the EUs (col 15 lines 55-58 and col 15 lines 65-67). In the second embodiment, a Traffic Information Signal (TIS) is sent downstream (col 15 lines 58-65). There is no suggestion or even hint in Darcie that anything other than intermediate nodes or the Central Office/Head End (CO/HE) could perform carrier sense/collision

detection (CS/CD). Thus, there would be no motivation whatsoever to employ the coupler of Ota '054 and Ota '257 in the access system of Darcie. It would server no purpose.

Furthermore, Applicants respectfully point out that the Examiner's rejection comprises a combination of three separate patent references and this argues against the likelihood of the claimed subject matter being obvious.

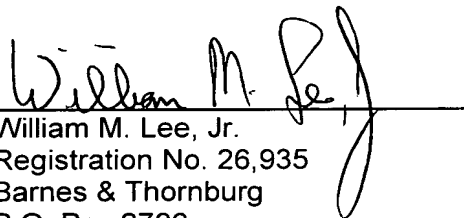
The Examiner also rejects claims 19-20 under 35 USC §103(a) as being unpatentable over Darcie in view of Ota (US 5,282,257), further in view of Ota (US 5,915, 054) and yet further in view of Coden (US 5,109,448). Applicants respectfully traverse this rejection for the reasons set out above and additionally since the rejection comprises a combination of four separate patent references and this argues against the likelihood of the claimed subject matter being obvious.

Applicants firmly believe the claims now presented are patentably distinct from the prior art references cited and request favorable reconsideration.

As this response is being submitted during the fourth month following the office action, a petition for extension of time is also submitted herewith.

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Respectfully submitted,



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